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7583/01

January 25, 2002

Re: Craig M. Howard v. Liberty Life Assurance Company of Boston
USDC, Middle District, PA Civil Action No. 1:CV-01-797

Honorable Yvette Kane
 Judge, Middle District of PA
 Federal Building, Room 830
 228 Walnut Street
 Harrisburg, PA 17108

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FILED
HARRISBURG

JAN 28 2002

MARY E. D'ANDREA, CLERK
 Per _____
 DEPUTY CLERK

Dear Judge Kane:

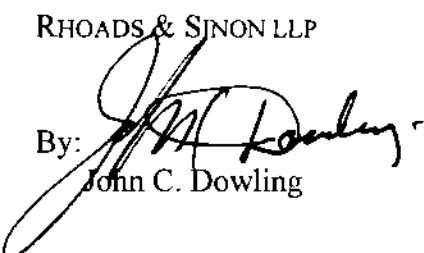
I would like to supplement my Letter Brief of January 23, 2002 to call Your Honor's attention to your recent decision in Ayers v. The Maple Press Company and Affiliated Companies, Civil Action No. 1:00-CV-480, filed October 16, 2001.

I think the decision is significant because in it you note:

"Unfortunately, the parties in this case have provided the Court with little evidence concerning the degree of the conflict or how it affected the decision to deny benefits in Plaintiff's case...Without such evidence, this Court is unwilling to slide far along Pinto's sliding scale of heightened arbitrary and capricious review." (P. 5-6)

Respectfully Submitted,

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By: 
 John C. Dowling

DBD/clz

cc: William C. Foster, Esquire
 (Via Facsimile and U.S. First Class Mail)

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